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REMARKS**JUL 28 2006**

This is a full and timely response to the outstanding non-final Office Action mailed April 28, 2006 (Part of Paper No. 20060424). Through this response, claims 1, 26, and 28 have been amended and claims 25, 27, and 29 have been canceled without prejudice, waiver, or disclaimer. Reconsideration and allowance of the application and pending claims are respectfully requested.

Cancellation of Claims 25, 27, and 29

Claims 25, 27, and 29 are canceled without prejudice, waiver, or disclaimer. Applicants take this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of the canceled claims in a continuing application, if Applicants so choose, and do not intend to dedicate any of the canceled subject matter to the public.

Withdrawal of Claim Rejections Under 35 U.S.C. § 102(a)

Applicants appreciate the Examiner's withdrawal of the rejection of Claims 1 and 26-33 under 35 U.S.C. § 102(a) as being anticipated by *Bittner et al.* (*Nature*, Vol. 406, 3 August 2000, pages 536-560), and the previous rejection under 35 U.S.C. 112, first paragraph. Applicants also greatly appreciate the withdrawal of finality of the previous Office Action.

Claim Rejections - 35 U.S.C. §112, First Paragraph

Claims 1, 26, 28, and 30-33 have been rejected under 35 U.S.C. §112, first paragraph, "because the specification, while being enabling for a method of diagnosing an aggressive form of malignant melanoma comprising analyzing and comparing Wnt5a expression in pair-matched

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tumor cluster tumor samples, does not reasonably provide enablement for diagnosing any and all aggressive forms of cancer.” *Office Action* at 3 (emphasis omitted). Applicants respectfully request that the rejection of these claims be withdrawn.

Applicants have amended claims 1, 26, and 28 to obviate the rejection. In view of those amendments, it is respectfully asserted that independent claims 1, 26, and 28 define the invention in the manner required by 35 U.S.C. §112. Accordingly, Applicants respectfully request that the rejections to these claims be withdrawn. The dependent claims 30-33 are allowable for at least the reason that they incorporate all of the features of their respective independent claims.

Claim Objections

Claims 25, 27, and 29 have been objected to as allegedly being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 25, 27, and 29 have been canceled, thus rendering rejection of these claims moot.

Indication of Allowable Subject Matter

Applicants greatly appreciate the Examiner's statement in the Office Action that claim 4 has been indicated as allowable.

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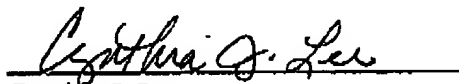
CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Further, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephone conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,


Cynthia J. Lee
Registration No. 46,033

THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.
Suite 1750
100 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500